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## LAW AND JUSTICE.

A ROUGH American magistrate, far off in wild Missouri, being pressed by some querulous litigant with the pertinent question—‘Didn’t he mean to decide according to law?’ made an answer remarkable enough to merit a sentence to itself. ‘According to law,’ gravely returned the forest squire, ‘and justice. Sartainly, sir, law and justice.’ Evidently there was an impression on the judicial mind that a natural opposition existed between justice and law. But this strange antithesis has been an article of faith with minds more ornate, and communities more learned, than those which the backwoods can supply. Our own courts have a standard Latin proverb which declares, with Ciceronian brevity, the perfection of law to be the summit of injustice; and there are but few educated persons, especially of the gentler sex, who can wholly divest themselves of the wide-spread prejudice that civil law, at anyrate, is an engine of wrong-doing and a perversion of honest truth. It may not be useless to inquire how a belief so singular and so injurious to society could have arisen.

Law is capable of assuming many shapes: it may take the form of custom, may be hallowed by the sanction of religion, may be codified, condensed, and rendered logical, or it may hang on the breath of some savage conqueror, or rude patriarch—but in some form it must exist. Ovid’s noble savage might do without it, but neither Captain Cook nor M. du Chaillu could ever find the prototype of that uncontrolled barbarian. Every tribe has at least its usages and its club-law. It is a trite saying, that in very early times the lawgiver and the priest were identical. This rule holds good, with rare exceptions, at every point of the compass. The readiest way of impressing a salutary rule on ignorant minds, was to assign to it a supernatural origin, and Pharaoh and Inca hit upon the same method of governing. Asia, the continent of theology in especial, had no law not founded on supposed celestial decrees. The Magi and the Brahmins, the Bonzes and Lamas, imposed their yoke on vast populations, and with the single exception of China, every country was governed by a supposed theocracy. Kings, in the East, were generally invested with a sacerdotal character, and even the Roman emperors owed much of their power to their office as supreme pontiffs; but though the terrors of spiritual and temporal censure enforced the decisions of these potentates, the heart of each nation soon became weaned from its legislators. The reason of this change is obvious. The decisions of a patriarch or petty chief are no more likely to be just, in the abstract sense of the word, than those of a

salaried magistrate, but they are more certain to be in accordance with the sentiments of the community. In a primitive state of society, the rules by which the judge is guided are known to all; the evidence is sifted and weighed, not only by the judicial acumen, but by public opinion, and each witness speaks before those who know every particular of his career, and every marked trait in his character. The judge, too, is in a manner on his trial; partiality is sure of detection where plaintiff and defendant, their cousinships, property, natures, and antecedents, are known to all, and a sentence is commonly in accordance with the feelings and wishes of the tribe at large. But in a populous commonwealth, where hired magistrates occupy the bench of justice, these conditions are reversed; the court may be crowded, indeed, but it will be filled either with partisans of the litigants, or with idle and indifferent spectators. The judge is no longer under the supervision of the people; the loser is sure to grumble, the winner is equally sure to vaunt the Daniel come to judgment, and the casual audience regards the court as a dramatic exhibition. Then arise the manifest dangers of favour and of bribery, shoals and quicksands in the path of Themis for many an age.

These are no fanciful perils, and we might almost judge of the merits of nations by the purity of the judicial ermine. See how the *Arabian Nights* are filled with tales of the just and unjust cadi, of the magistrate who took bribes, of the calif or vizier who detected him by some artifice of elaborately childish cunning, of the magnanimous judge who spurned the rogue and his money-bags. The fount of Asiatic justice is not a whit more crystal clear than when good Haroun went masquerading about his capital. To this day, a cadi is accustomed to buy his office at a high price, with the distinct understanding that he is to indemnify himself by fees. It is a question of *bucksheesh*. What will you give? Hassan, the plaintiff, offers twenty pursea. Can you outbid him, O Mustapha, so that your face may be made white once more? Woe be to Mustapha if he be too poor or stingy to pay the ransom; he will make acquaintance practically with the bastinado, while the land or goods in dispute will be legally made over to his opponent!

Turks and Persians, however malignant and turbaned they may be, are not the only nations whose judges weigh out justice against gold and silver. The pay of a Neapolitan *giudice* would hardly, under the old system, have kept him in melons and macaroni, had he not eked it out by plunder of this sort; in Russia, the best argument is a bundle of paper rubles; and an Austrian magistrate is reputed to

have an itching palm which only convention-money can appease. The fruits of all this are painfully apparent wherever the canker has spread. Indeed, there is something essentially calculated to corrupt a nation at large in the denial or distortion of justice. A venal tribunal does harm to more than the actual litigants : it warps the natural sentiment of right which dwells in men's breasts ; it makes the strong desperate, and the weak despondent ; it sets rogues plotting, and blights the energies of the honest. Accordingly, wherever we see mercenary judges, we find crime considered venial, the robber deemed a hero, and a false standard of virtue substituted for the true one. I have spoken hitherto of cases in which there is no barrier between the magistrate and the disputants, where the law is simple, or where a large latitude is extended to the judge in discrimination between truth and falsehood. But when statutes grew complicated and many, when decisions were numerous and conflicting, while law had developed into a science too difficult for the public to decipher, a new profession arose ; the advocate came into being.

At first the counsellor was presumed to have embraced a noble mission—he was a legal Don Quixote, a knight-errant, a redresser of wrongs. He pleaded for the helpless and the ignorant, for widows, destitute and despoiled orphans ; he pitted his keen intellect against the craft of the knave who fattened on the feeble, and he earned golden opinions on all hands. Only golden opinions at first. But in a very little while this period of pure chivalry closed. It was all very well for a wise and eloquent man to devote a part of his time to pleading a good cause, but he could not always leave his business to champion others, unfe'd. So advocates took money-payments to plead for the good cause, and, alas ! their tongue of honeyed fire became a two-edged weapon, and fought on all sides, good, bad, and indifferent, like a Free Lance of the fifteenth century. Not only did they take rewards for speaking, but sometimes, witness the 'golden quinsky' of Demosthenes, for convenient silence. But long after Greek and Roman lawyers went with the weightiest purse, the stern Teutonic race kept up the ideal of an unsalaried bar. Icelander, Norseman, Saxon, and Dane, valued the professed lawyer even above the hero before whose axe shield and sword went down. There seems to have been an innate reverence for justice in the northern stock, the best heritage we owe our hardy ancestry. But to accept a recompence for pleading was held a monstrous wrong, and the advocate's eloquence was required to be wholly gratuitous. The old Irish, also great lovers of law, went on a different principle ; their Breton judges depended partly on a fixed salary paid by tribe and chief, partly on fees, which were levied on a very liberal scale ; while if a young Breton became the counsel of either party, he looked to his client for his fee, exactly as in our time.

Those nations which were included in the Roman empire groaned long and piteously under the Roman law. Not but that the imperial jurisprudence was superior to many of the barbaric customs it supplanted, but that it was corruptly administered by questors and proconsuls impatient to be rich, and eager to get back to Rome. To this hour, half Europe is still under the shadow of the mighty Roman Themis, and the Pandects are quoted as we quote Coke and Blackstone. In Britain, we know the laws of Rome only under the name of the 'civil law.' The common law of our country is entirely of native growth, while the statute law has not been modelled on that of the Seven-hilled City. Austrian or Spanish law is like a moulder Gothic cathedral, with its choked gargoyle, corroded lace-work, moss-grown statues, and frettings black with age, yet shewing the impress of a single will in the design. Our English law notoriously resembles a tangled forest, with a most prodigious

growth of brambles and underwood, but with some stately trees towering over the rest in conscious dignity. French law—the vaunted Code Napoleon—can be likened to nothing but some modern building, pert, indeed, of aspect, and ungraceful in design, but trim and serviceable as far as its dimensions permit. Our neighbours have enjoyed the advantage, if advantage it be, of making a clear sweep of the past before dealing with the future. The Revolution toppled down all things ancient, and left a site whereon to erect a new edifice. The Code Napoleon has its merits. It is easy to be understood. A layman may buy a few volumes, and by their aid may attain to a deeper acquaintance with the jurisprudence of his country than is possessed in our land by attorney-generals and chancellors. But the Code is a narrow affair after all, and puts restraints on the disposal of both person and property which can only endure until the French have learned the true nature of liberty. We may growl at our own entanglements of law, as our wisest lawyers have long done ; we may wish to use the pruning-knife and woodbill with a judicious hand ; but we should be sorry to bicker the overgrown system itself for the starch simplicity of the Gallic code.

English law is in itself a silent history of the nation. Prior to the Norman Conquest, a great plainness prevailed in legal procedure. The earls and aldermen, the sheriffs and bailiffs, dealt out an inexpensive justice, and local jurisdiction was the rule, a direct regal commission the exception. We are sadly in the dark as to the customs of Saxon England, but we gather that the people had small taste for litigation, and that most disputes were easily adjusted by the petty assemblies called Folkmotes and Tythings. The Normans brought with them the Norse love of lawsuits, and what was worse, the pompous and costly procedures of the French courts. We may fancy the horror of a sturdy Saxon franklin or sixhundredman, when cited to appear in a court of oyer and terminer, the only language in which was a barbarous jargon of Rouen French, while fees and rules were all alike on a scale of alien extravagance. And yet even Normans insolence and rapacity spared a vast number of things, long the boast and safeguard of English liberties. The Great Charter did not, as many suppose, confer those liberties ; it merely extorted the recognition of the trial by jury, the immunity of an Englishman from capricious arrest and arbitrary imprisonment, and other Saxon privileges which Alfred's subjects enjoyed, but to which the subjects of Napoleon III. have not yet attained. But this excessive respect for antiquity and vested interests led to some curious results. Local laws were permitted, and are still permitted, to mar the general uniformity. Not only did the important county of Kent contrive to retain gavelkind and other usages, but obscure burghs in remote counties were allowed to regulate inheritances by their peculiar customs, under the aegis of Chancery. Side by side grew up among us the common law, oldest and most reverenced of the sisterhood ; the canon law, dear to the clergy ; the civil law, beloved of legal theorists ; and the statute law, embalmed in successive acts of parliament. Add to these the orders of the royal council, the bye-laws and local customs, and we have as copious and stringent a collection of rules as a man need live under.

One inevitable consequence of this complication was, that no human mind could wholly master the Titanic system. They say, in our days, that no man can be a perfect chemist ; he must select his specialty, and adhere to it ; inorganic or organic science may be his choice, but life is not long enough to grapple with all. Just so, no man can be an absolutely perfect lawyer. The hero of the Common Pleas would cut a sorry figure in Chancery ; the nisi prius orator who dazzles a circuit is but a dunce

when compared to some shy, ungainly conveyancer, whose very soul is steeped in the dust of rotting parchments. There are distinguished parliamentary counsel who are fit for no other branch of the profession; there are jurists who can think of nothing but international or constitutional law; there are ecclesiastical lawyers, black-letter men, and antiquaries, to whom dog-Latin and Norman-French are more familiar than their mother-tongue. The bar is subdivided like a manufactory, while attorneys, called 'lawyers' *par excellence*, are usually in a state of blissful ignorance with regard to law, and require to be prompted by counsel on all points but those of routine. All this has had a tendency to confirm the popular fallacy with respect to law and justice. Our law is so difficult as to perplex the saggest heads. It is perfectly possible for two very wise and honourable men to arrive at totally opposite conclusions with regard to the same transaction, and, in the end, both may prove right, or both wrong. Judges of spotless integrity and lifelong experience will see the golden or the silver face of the shield, like knights in the old romaut, and neither will be convinced of error even by long and lucid argument. What marvel, then, that those whose interests and feelings are staked on the issue of a lawsuit should rail at law and its iniquity, if stripped of fortune by the law's decree! Peebles is furious that he cannot get satisfaction from that villain Plainstanes, although learned men, ay, and honest men too, assure him that his cause is clear as the noonday. Plainstanes is equally confident that right is with him: he can quote mighty opinions in his favour. Doctors disagree, and who shall decide? Not Peebles, not Plainstanes, not the cousins, grandchildren, nephews and nieces, of the litigants, who, from generation to generation will stoutly aver that, had justice prevailed on earth, their relative would have come victorious out of court. None ever allow that a defeat was fair and merited.

Another cause of the prevailing notion that law and justice are not on good terms, is the formidable expense of legal proceedings. A lawsuit is a private war, fraught with ruin. Hence has arisen an exaggerated notion that the longest purse carries the day, and that right kicks the beam in the golden scales of justice. Unhappily, there is some little truth in this sweeping assertion; for, suppose I am an ingenuous person of small means, and I invent something, and patent my invention. A trade-shark, a race never likely to die out, pirates my device with unblushing effrontery, and I go to law with him. If the case be very clear, and the fraud very transparent, the chancellor gives me my injunction, and I am victorious, but a little out of pocket. But perhaps the commercial vulture is shrewd as well as greedy, and he has altered my invention a little, and claims it as his own, and joins battle on that issue. I may conquer yet, but the triumph may ruin me; and when I find myself forced to pit my hundreds against thousands, when my lean purse is matched with a plethoric money-bag, and I am harassed by appeals, new trials, and all the manœuvres of chicanery, I dare say that I cry out passionately that law and justice are divorced. To be sure, if I—Timothy Pinch, inventor—can go into court and swear I am not worth five pounds, I shall fight gratis. Themis will give me solicitor and counsel, without fee or bill, and I may bathe it out with Mr Griper on easy terms. But it is not pleasant to be without a five-pound note, nor to commit perjury by swearing to a fictitious poverty, while the law says that if I lose my suit, I must make my election to pay the costs, or be whipped—a sad alternative. Many cases may be imagined in which an inability or a reluctance to risk expense may cause a virtual denial of right, and it is not amazing that grumbler should exist. Happily, the ermine of the judge, in our land, is of stainless purity. This is admitted by foreigner and native; and the bitterest foe of England, whether

in the Old World or the New, has never essayed to throw a slur upon the British bench. We have to go back to Bacon—a long, long way, for an example of a judge who took bribes. We have to go back to Scrogg and Jeffreys, before we can trace a judge who did wrong for court-favour. And the case of Bacon, though shameful enough, is not on a par with the venal conduct of magistrates elsewhere: no one has ever pretended that the great thinker sold justice; it is only alleged that he permitted himself to be recompensed by those in whose favour he had pronounced a sentence, the propriety of which was not disputed. This general purity of the judicial office has been a useful antidote to the strong popular prejudice against the law, and all that have to do with it. In England, a judge is regarded with the utmost respect; his duties are esteemed as something sacred, and akin to the priest's. Nay, there are some irreverent mortals who are rather disposed to titter at a bishop's apron or a dean's shovel-hat, who nevertheless are awestruck before the robes and wig of My Lord Justice Rhadamanthus. But this reverence goes no further; it stops, as it begins, with the judge: A few reflected rays may fall upon the barrister, perhaps because he wears forensic horsehair, perhaps because he is looked on as a chief-baron or chancellor in embryo; but the attorney is the most unpopular professional man in the country; the poor shudder at him, ladies regard him as a subtle monster, novelists make capital of him, and journalists put him in a pillory of small pica.

It is probably in consequence of some difficulty in reconciling law with justice, that attorneys have received so bad a name at the hands of the people. We see the same stigma follow the subalterns and privates of the legal army through every stage. Peter Quill, Gentleman, may be an object of aversion to many of his neighbours, albeit there is no reason why the said Peter should not be a very inoffensive and excellent man; but how about Grab the sheriff's officer? How about the broker, the bailiff, the tipstaff—those disagreeable but needful persons who distract on our goods, take possession of our households, and tap us on the shoulder with a dingy forefinger? How about—if I may introduce such a name—Mr Calcraft the hangman; and why should such storms of hate, scorn, and contumely pursue those who do for hire what we all agree *must* be done? Law and justice; that fatal antithesis spoils all. When we are fully satisfied that a sentence or decree is right, we are glad that it should be put in force, not otherwise. Take an extreme case. Some atrocious murder—perhaps some string of murders—has been committed under circumstances that arouse pity, sympathy, horror, and wrath in every bosom in the land. Poison may be the agent, or the knife, it matters little which; and at the bar is placed no repentant cowering wretch, but a hardened criminal, coldly calculating on impunity, and trying to outwit human vengeance by quibbles and precautions. Then what a stir is felt, how the pulse of the nation throbs with no ungenerous indignation, how the angry instinct of the people pierces through webs of sophistry to denounce the stain upon the hand that sears could not wash clean! All England pants for the verdict, and exults when the mask falls, and the guilty face is laid bare. And why? Not from cruelty, not even from a vindictive desire to behold the punishment, but from a deep natural wish that justice should be done. Afterwards may come the morbid wish to behold an exciting scene, to gloat on the last hours in the condemned cell, the last words on the scaffold, the last look cast on a sea of unfriendly eyes ere the wretch is blindfolded on the threshold of death. But the first desire is certainly that justice may be done, and it is mingled with a fierce impatience of subterfuge, of drivelling weakness, or of judicial blindness. Nor is it necessary that the verdict should be one of

'guilty.' Let the innocence of the accused be really proved, and there awakes in the land a glow of sympathy and joy in which selfishness has no share. Even the convicted wretch, if there be aught to extenuate—if there seem to exist anything that can palliate his offence—is sure of a certain amount of pity; the national heart is not a hard one; but there is something in impunity obtained through legal loopholes or favour, which rouses a storm of indignation everywhere.

The civil law, however, must usually work in the dark, unnoted. When Grab the bailiff tapers me on the shoulder, and invites me to Cursitor Street, he is very likely the righteous minister of Themis, justly punishing a scampish debtor. When Veneer the broker puts a man in possession of my house, and brings my furniture to the hammer, he probably does right, and the pursuing creditor is severe, but not unjust. Still, people will feel for me, and Grab and Veneer may expect black looks and dislike, culminating occasionally in hooting or the horse-pond. One thing more has perhaps tended to make law and justice apparent opposites: we have courts of equity as well as courts of law. But this is not really a confession on the part of Themis that Lex and Justitia are the south pole and the north. It is necessary that the spirit of the law should be administered, as well as its letter. There are people, ladies especially, who cling to the precise text of some legal maxim as if it were a talisman, irrespective of common sense and natural principles. But there is such a thing as reducing a theory to an absurdity; and in establishing equity courts, our legislators have merely patched and strengthened, as best they could, the superstructure of a law founded on the eternal truths of justice.

#### MYSELF AND MY RELATIVES.

##### CHAPTER XXV.

###### ANOTHER PROPOSAL OF MARRIAGE.

DR LAMPTON and Mr Webb managed the funeral. My mother did not rise from her bed for some weeks after Rosa's death, and therefore I was once again sole manager of our affairs, while our physician still attended frequently, owing to mamma's state of health. Our creditors were now most pressing in their demands. We determined to sell our furniture to liquidate our debts. One day, I was thinking over these things, when Dr Lampton joined me in the parlour.

'I have just been speaking to your mother,' he said after a pause, while he sat down beside me, 'upon a subject that has long lain near my heart, and she has given me permission to tell you that I have for some time loved you, and I am now ready to offer you my hand.'

I was for some time silent, looking on the carpet: many thoughts filled my mind. Here was an offer of marriage which, if accepted, would save my poor mother and brothers from ruin. Dr Lampton was rich, kind, generous in his wish to marry a poor girl like myself, plunged in poverty and perplexity. Ah! was I always to be tempted thus? Raising my eyes, I met his anxious, tender gaze resting on my face. 'Will you let me think over this?' I asked in a subdued unsteady tone. 'I should like to consult further with my mother.'

Of course the permission I craved was granted; and after an assurance that he loved me with all the ardour his nature was capable of, he left the house. I went to my own room, to reflect upon this new proposal of marriage. Dr Lampton's respectable position, his character, well known for uprightness, and his benevolent heart, were weighty considerations in his favour. Long did I remain buried in meditation, before I ventured to meet my mother. When I did go to her, she was sitting up in bed, looking more cheerful than I had seen her look for a very long time. The pleased expression of her face made me tremble.

'My dear mother,' said I, flinging my arms round her, 'Dr Lampton has made me a proposal of marriage.'

'So I understand,' she replied; 'he told me he intended doing so.'

'And do you think I ought to accept it?'

'Most assuredly I do. He is an excellent man, Jessie; and if I was removed from you, he would be a protector for you. There are few men who would marry a poor girl like you; and you may never get such an offer again.'

'I know that,' said I, looking thoughtfully out of the window.

'Then I am glad your good sense prompts you to do what is right this time.'

'I shall certainly think over it,' I said after a pause.

'Think over it! What do you require to think long for? The advantages of such a match are quite plain before you. Either accept the offer or beg.'

'But, dear mamma, I need not beg; I have hands that can work. I can earn bread, perhaps for us all.'

'And who will employ you?' asked mamma, fixing her eyes imploringly on my face. 'It is all very well to talk of earning your bread, but it is not so easy to get anything to do.'

'I shall reflect upon Dr Lampton's proposal,' I said in a low quivering voice; 'and by to-morrow, I think my mind will be quite made up.'

The recollection of Mr Legrand's proposal, and the many thousands that had backed it, came like a shadowy spectre gliding by. If I was to sell myself for position and wealth, why had I rejected that offer? Another recollection came, too, not spectral-like, but as a great fortification, from which cannon were pointed through every loophole, while taunting voices seemed to whisper: 'Pull me down, if you can—push me aside—demolish me, if you have strength!' and then, with a faint heart, I stole like something guilty to my own room. I scarcely slept all that night, and next day looked quite knocked up. Maggy was shocked at my appearance.

'Dear Miss Keppleton, I don't know whatever you'll be like at last, for you're quite a ghost to-day,' she said, gazing anxiously at me.

I could not reply, as I busied myself about getting mamma's breakfast ready.

I thought the morning passed slowly; I spent it chiefly in walking through the house restlessly, but my mind was fixed; I was quite determined upon the course to pursue before Dr Lampton's gig stopped at our door. He was for some time in the parlour before I had courage to meet him. I entered the room trembling and agitated. He seemed cool enough; his hand did not shake, his strong frame seemed incapable of nervous emotion, but he was very pale, and his eye looked anxious. I gave him my hand silently, and he kept it long within his own.

'What is to be my fate?' he asked in a low voice.

I could not speak for some minutes; at last I said: 'I have considered your proposal in every light, and I feel more grateful and flattered than I can express; but the more I reflect, the more I am convinced of how unworthy I am to accept it.'

My companion here poured forth fresh assurances of his regard, and belief that I was fitted to make the best of wives.

'I esteem and honour you,' said I (ah! what lover was ever consoled by the word 'esteem?'); 'from my heart I thank you for your good opinion, though I know it is not deserved.'

'Why do you speak in this way, Miss Keppleton? You know you have been the kindest, most dutiful of daughters. Have I not watched your devotion to your whole family? It is not alone because you are beautiful that I love you, but because I have observed your endurance in the midst of trials. I have long admired your strength of mind and disregard of self.'

'Ah! I have been the worst of daughters, the most

unkind of sisters!' I exclaimed, bursting suddenly into tears; 'my selfishness has been the cause of untold misery to my whole family.'

Dr Lampton looked at me in some surprise, but did not speak while my emotion lasted. At length he said: 'Your opinion of yourself is quite unfounded; every one speaks of your devotion to your parents, and brothers, and sisters. Were I the possessor of such a wife, I should indeed consider myself a fortunate man.'

'My family are quite ruined,' said I: 'my brothers must be thrown upon the world, to earn their bread as they best can; the furniture in this house will be sold for debt. Consider all this, and you will see how rash it would be to connect yourself with such a family.'

'I know all that: I have considered everything; but it makes no difference in my regard.'

'Your generosity is great, and I should ill repay you were I to take advantage of it,' said I, still weeping bitterly. 'I know if I married you, I should have a lot worthy of a far better person than I am; but I could not think of it; I have only a poor broken heart to offer in return for such disinterested affection—in fact, I can scarcely call it a heart at all!'

'Do not distress yourself in this way,' said the doctor, seeing how agitated I was. 'You cannot love me, therefore it is I only who should suffer pain. If your affections are engaged, I have no right to importune you further. Your heart is already another's—is it not so?' I could still only betray signs of intense grief and agitation. My companion entreated me to compose myself, and expressed sorrow for having broached such a subject at all. Our interview did not last much longer: after requesting me to allow him to continue his visits as a friend, though he might not hope for any nearer tie, Dr Lampton left the cottage, pale, but perfectly self-possessed and calm. It was with much nervous apprehension that I encountered my mother, who, I knew, must be anxious to know the result of our conference.

'You are trifling with your own happiness, Jessie,' she said coldly, when I told her the truth.

'It would be sinful, dear mamma, to marry a man I did not love,' I said humbly.

'I know not what romantic notions you have of love. Wouldn't it be better for you to be Dr Lampton's wife than a sempstress or nursery-governess?'

'No: his affection would be all thrown away upon me, and we should both be miserable.'

'And why could you not try to love him, when you are not in love with any one else?' asked mamma, turning her large eyes slowly and piercingly on my face. I blushed painfully, feeling quite guilty.

'Jessie, is there any secret that you have kept from me?' she demanded slowly and tremulously. 'Have you any correspondence with any one I do not know of?'

'None, mamma,' I faintly replied, alluding to the latter part of her inquiry.

'Do not deceive me, child,' she persisted, rocking herself and fro in the bed. 'One daughter has already forsaken me, another has been snatched away by death; do not let me feel that I am bereft indeed!'

There was much of bitterness in my mother's words, in her tone of voice; it went to my heart. I felt that she was unjust to me, and yet wherefore? Had I not deceived her? Had I confided in her?

'If I have had any fancy, mamma, it is of no consequence now,' I said. 'I may have loved, I may love still, but without hope. I never shall see or hear from the person again.'

'And for this foolish chimera you have thrown away a rational offer?'

'Not for that alone—for many reasons. Ah! mamma, have pity on me: I feel ill!'

'Jessie, my dear child—my own darling—O my child!' were words which I heard falling in a confused way upon my ears. The light had faded from my eyes; I saw nothing, felt nothing. Amid some dim perceptions floating in my mind, I fancied that death had stricken me, and that I should never more awake to the world.

#### CHAPTER XXVI.

##### THORN GRANGE.

Consciousness returned after a long interval, and mamma did not revert to the occurrences of that day, though, true to his word, Dr Lampton visited us nearly as often as formerly. He was still kind, gentle, considerate; but perhaps there was less warmth than before in the pressure of his hand at meeting and parting. It was he and good Mr Webb who arranged about the sale of our furniture; and we were somewhat perplexed as to what we should do when our cottage would be bereft of chairs and tables, when, some days before the auction, Mrs Webb came over to see us for the first time in her life. She was a plain, large woman, with red hair, and square bony features, which were illuminated by an expression of good-nature pleasant to behold. She wore a large beaver bonnet, and a costume altogether devoid of fashion or elegance. She never attempted to sit down when ushered into our drawing-room, but stood before me quite humbly, although knowing full well that I was as poor as her own servant-maids. She stood in the middle of the room, hardly able to open the subject upon which she had come.

'I beg your pardon, Miss Keppleton, but we were thinking—Mr Webb and me—that if Mrs Keppleton and you would just make use of our house while the auction is going on here, we would be very happy to have you with us; indeed, quite proud if you'd just condescend to come.'

And then the good woman grew red in the face, and her eyes dilated, as if she felt some terror of giving offence by such a bold proposal.

'You are very kind indeed,' said I, rising and offering a chair, which Mrs Webb did not pretend to see; 'and I am sure my mother will feel most happy to accept your invitation. We are already much in your debt, Mrs Webb, and can never forget your kindness.'

'Oh, never mention it at all,' said the good woman, nodding her head; 'I'd do more if I could. I feel indebted to Mrs Keppleton ever since she cured my little Ralph of that complaint that was near killing him. I do believe, miss, that only for her medicine he'd be a dead boy now.' And she drew her hand over her eyes—a very large brown hand it was.

'We're only homely people,' she continued, 'but still maybe your mamma would find it convenient just to stop at Thorn Grange till things are settled; and we have plenty of spare rooms. The children can go up to the garrets, and I'll settle everything as complete as possible. So you can let me know this evening, Miss Keppleton, if you'll come.'

Right gladly did my mother consent to go for a little time to the farmhouse, and we were received there with much courtesy and respect. Peace and plenty reigned in this humble abode. Our chamber was neat, and even elegant. Snow-white curtains draped the window looking out upon a fresh green field of long grass ready for the scythe, and the best carpet and best chairs in the house were given for our use. The children were brought to us for inspection—six sturdy young people, of ages varying from one to twelve years, not remarkable for beauty, but probably nothing the worse of that. Baby was evidently the pet of the family, and he soon learned to stretch forth his fat arms to me when I approached him. I made myself as agreeable as possible among these worthy people, and listened for hours to Mrs Webb's details

of housekeeping experiences and motherly cares, of which she never seemed weary of talking. The auction of our furniture took place on the day appointed, and everything was sold before night, except the large picture of Ripworth, which my mother did not wish to part with, though I felt a shudder when I looked at it. The money we received from the sale amounted to about ninety pounds, and of course we immediately set about paying our debts. Our Farmley creditors were all satisfied in less than a week after the auction. We had another debt to pay also, and I determined on giving Maggy Bond ten pounds to return to the kind individual who had secretly lent us that sum in the hour of need; but when I offered her the money, she hesitated to take it.

'I don't think the person will take it back now, miss,' she said, looking on the ground.

'And why? Who is the person, Maggy?'

'I was told not to tell you, miss, and I promised I wouldn't.'

'But it must have been Mr or Mrs Webb that lent it, if it was not yourself.'

'No, miss, it wasn't me, nor Mr nor Mrs Webb that gave it at all; and I thought there was a sparkle of merriment in the girl's eye that made me suspect something.'

'Well, Maggy, it must have been Dr Lampton.'

Maggy fixed her gaze upon the ground and said nothing; her silence was a sufficient confirmation of my suspicions.

'You must give him the money next time he comes,' I said.

'I needn't give it, miss, for I know he won't take it.'

'But you said it was only to be a loan.'

'Yes, but the time hasn't come yet for you to pay it. It wasn't to be paid till you got rich. Ah, miss, don't fret about the money: he has lost more than that since he came to Weston Cricket, and it isn't silver or gold he's looking for!'

I had to keep the ten pounds for some time longer, as Maggy would not take it from me, and I was unwilling to offer it myself to Dr Lampton.

We remained at Thorn Grange far longer than had first been intended, and when my brothers returned from school, we were still there. They had both grown much. Edward was quite a man, and of course much disappointed at Colonel Daubeny's unkind behaviour, after so many promises held out to us. Fortunately, I possessed much influence over Edward, and through my persuasions he was at last induced to think of some humble employment by which he could gain a livelihood. We appealed to Dr Lampton on the subject, and he promised to look out for something for him, while he also offered to enter into a correspondence with a friend connected with a shipping-office in London relative to getting Bobby employment in the merchant service; for Bobby's great wish was to go to sea. Our kind friend soon succeeded in his efforts to benefit us. Bobby got an appointment on board a vessel bound for the East Indies; and Edward was offered a situation as clerk in a London counting-house, at a salary of a hundred and fifty pounds a year. It was a good thing for my dear brother to be thus provided for, yet I wept some secret tears when he wrote to accept the employment. I knew what his own feelings must be. It was arranged that we were to go to London as soon as Bobby had left us. Edward and he went to Portsmouth, where he embarked in the merchant-ship *Snowdon*, and then Edward repaired to London, to enter upon his new duties, and to await there mamma's and my arrival. Maggy Bond told us of friends of her own who let lodgings in a cheap part of the great city, whom she spoke of as people of great worth and honesty. Their name was Grubb. The husband had formerly been an upholsterer and cabinet-maker, living near the Shadows, in the neighbourhood of Maggy's early home, and he had only lately

repaired to London. We wrote to these people, at Maggy's request, and having learned that their lodgings were disengaged, Edward was desired to take them, if suitable.

The summer had all passed away while we were at Thorn Grange. It was already October when we packed up our trunks to leave it. Mr and Mrs Webb, and the children, were all sorry for our leaving. Maggy Bond refused to accept a farthing from us for her long services. I think I see her now as she was that last night of our stay at the farm; how she roped our trunks herself, and carried them down to the hall and helped to label them; how she insisted on wrapping up sandwiches and cakes for us to take on our journey; how she said she would rise early to get our breakfast in time for the early starting. She did not know that the light of the morning sun would never more greet her eyesight! We went to bed that night as usual, and I fell into a sound sleep. A smell of smoke—a suffocating, strange sensation—something dense in the atmosphere of the dark room, as I awoke. What was it? I started up in horror. I thought I was dying. 'Waken, mamma—waken!' and I shook my mother till she started up too.

'It is fire!' she exclaimed; 'the house is on fire!'

We both jumped out of bed and groped for our dressing-gowns, while the smoke seemed to grow thicker each instant.

'Get up ladies, quick—the house is on fire!' shouted Maggy's voice at the door.

There was a fearful stir and commotion through the building—men's voices shouting, women calling out also, and children crying. How mamma and I made our way down stairs through the smoke, I never knew, but we were safely outside the dwelling at last—surrounded by the members of the household, and various articles of furniture saved from the fire. Our trunks had fortunately been rescued, and stood out among the other things. Everybody was wild with fright. Perspiration glistened in the moonlight on men's faces; women wrung their hands in dismay, as the flames were seen springing out from chimneys and through casements with terrific glare. All at once, amid the horror and confusion of the hour, I heard a voice of agony exclaim: 'The baby—the baby! he's in the cradle still!'

It seems that the poor child was supposed to have been brought down by the nurse, who in her terror at hearing the commotion in the house, started from her sleep and ran down stairs to know the cause, and she was too much frightened to venture back through the smoke for the infant. The nursery was upstairs, and contained only one small casement-window, looking out on the front of the house, scarcely large enough for a child's head and shoulders to go through.

'If the window was big enough, I'd go through it by a ladder,' shouted one of the men.

Mr Webb having gone to the farmyard with one of the workmen to procure water, was not present. Fiercer the flames burst forth, sparks and smoke ascending madly into the air.

'The baby—the baby!' shrieked Mrs Webb in despairing accents.

'Put the ladder to the casement, John,' shouted a clear intrepid voice, and in the next instant I beheld a figure fleeing towards the burning house. It vanished quickly, while a roar burst from the spectators. It was Maggy Bond that had disappeared within the fearful mass of smoke and fire!

'She's lost—she's lost!' cried out half-a-dozen voices in a breath. I stood immovably looking on at the lurid glare in the sky, paralysed with terror. But now the little casement opens; the fire has not touched the nursery yet; and as John ascends the ladder towards it, out come two red arms bearing the baby in his night-dress, still half asleep. John catches him tightly, and puts him under one arm, while he slowly descends the ladder, step by step. 'Thank

God!' exclaim many voices; but I saying nothing yet; I cannot speak. O what a roar of flames—what a crushing of falling rafters—what volleys of smoke gushing now from the hall-door! Still she comes not. She cannot come, for flames are everywhere now—forking out—blending into one fearful flood of fire.

'Maggy's lost! O God, she's lost!' cried many voices in a breath.

It was even so. The morning light shone upon a mass of dark cinder, pronounced to be the remains of a human form, found within the ruins of the house.

And that was thy end, O Maggy Bond!

#### AMONG THE DRUID-STONES.

WHEN one dines out in London, no matter how conscientiously one may have performed one's duty to one's neighbour at table, he does not, being a stranger, ask you to come and see him the next morning, and take a drive of twenty miles in his cabriolet. In the country, he sometimes does.

'What a charming fellow is your friend Dryasdust,' said I to my Wiltshire host as we were driving home the other night together, after dining with the gentleman in question: 'how hospitable, how kindly! He has offered to take me to Abury to-morrow, to see the great temple of the Druids; and as you will be engaged elsewhere, I have accepted his invitation.'

'Is he going to *drive* there?' inquired my friend with an appearance of interest, complimentary of course, but still a little suspicious.

'I hope so,' returned I. 'It can never be a walk that he proposes. Why, the place is eleven miles away, and every inch uphill.'

'You'll soon be there, however, if he drives,' remarked my friend, and I must say, in a tone which gave me very great uneasiness, although I made no observation upon it at the time.

After an almost sleepless night, however—for my imagination is particularly vivid—I made bold to ask him at breakfast what he meant by these 'ambiguous givings-out.'

'Oh, nothing,' said he carelessly; 'it will be all right if Dryasdust has sold his bay mare. She's a clipper to go; but there is sometimes a little difficulty in guiding her. She has kicked everything he has to pieces, scores of times. His groom, Jack Strong-i-th'-arm, is the only man in England who can manage her; and I know Jack was to leave the place last week.'

'Good heavens!' cried I, rising suddenly and going to the window, 'the weather looks very doubtful. Your friend said that he should not expect me if it was wet.'

'Pooh, nonsense; it will be a lovely day,' returned my host. 'I envy you your expedition of all things. I wish I could have taken you myself; to-morrow, I could have done it, but to-day I must be on the bench at —.'

'Let us go to-morrow,' cried I. 'I'd rather go with you, my dear friend, ten thousand times. There's something about that man Dryasdust, do you know, that I don't altogether like. I don't approve of his politics; I—'

'Stuff and nonsense! He's a most capital fellow. Why, it was only last night that you were singing his praises. Besides, he's the very man for Abury. He has theories about the thing—I don't know *what* they are, but they are excessively valuable. He's the secretary of the Archaeological Club. Here's the carriage coming round; come, get your coat on; you'll find it windy on the Downs—and I'll drop you at his gate.'

There was no escape from this, and my host dropped me there accordingly.

Dryasdust expressed himself as being pleased to see me; gave me exhilarating drinks; filled a huge cigar-case for our joint use. 'But what of all this,' thought I, 'if the man is an accessory before the fact

to a murder? For what is it but murder to offer a fellow-creature a seat behind a—'

'There's the trap,' exclaimed Dryasdust, breaking in upon my gloomy meditations, and drawing my attention to a light and swaying vehicle (such as I suppose matches against time are performed in), which a groom drew up in front of the window. 'There's the trap, and there is not an easier or better-going machine in all Wiltshire.'

A momentary comfort took possession of me, born of the ridiculous expectation that since the vehicle was so very light, it might not be worth while to employ a quadruped at all; that the groom might take us to Abury and back without the interposition of horse-power. But I was soon most cruelly undeceived.

'Is that an old servant of yours?' said I, determined to know the worst at once. 'He looks rather inexperienced.'

'A mere lad,' returned Dryasdust coolly. 'My last man was a most excellent whip; but now I am obliged to drive myself. He's not used to the mare—'

'The mare!' interrupted I, with a sinking at my heart; 'what! the bay mare?'

'Yes, the bay mare. You have heard, then, perhaps, of her peculiar fancy: she will not be put in the shafts in the stable-yard; it always has to be done in front of the house; that is to say, when she runs alone, as in the case of the trap.'

'The trap, ay, the trap indeed,' thought I; 'the man-trap, the car of Juggernaut!' I would far rather have paid the money for a post-chaise and pair.

However, the mare was put in the shafts, and we got into the vehicle—which was evidently built for speed rather than safety—and started at the rate of about seventeen miles an hour. It was doubtless well meant of Dryasdust to endeavour, as we flew along, to make me acquainted with the early history of the Druids, and the localities which they made their principal settlements, but my mind was too preoccupied with the Present, and the contingencies of the Future, to pay much heed to the venerable Past. I did indeed pick up certain scraps in spite of myself, and little expecting to find any use for them in this world (considering the pace we were going at); but they are too disjointed—in consequence of the bay mare's shying at objects by the wayside, when my attention was naturally drawn away with a jerk from antiquarian subjects—to be offered here. Moreover, with every respect for Dryasdust—although I do think a man should acknowledge his authorities—I believe they are, most of them, to be found in *Cæsar*, in connection with the *Carnutes*, who lived on the borders of Normandy, where the Druids—with that winning ignorance so peculiar to the early ages of man—pitched their most sacred temple, under the impression that it was in the exact centre of France.

'Now, Avebury, or Abury,' said Dryasdust, 'which of course is Ald or Oldborough, was the corresponding arch-temple of the Druids in England, and far superior to that better known erection at Stonehenge. The stones are larger here, and *unseen*, which demonstrates its priority in point of time. It lies at the foot of the Wansdyke, the great Saxon vallum at the edge of the Downs yonder, and opposite St Anne's Hill—named, not after the mother of the Virgin, as some audaciously take for granted, but after Tanaris, the most terrific of the Celtic deities: it is called Tan Hill by the vulgar to this day; and upon its summit are held mighty horse-fairs, and even dog-fairs, where, singularly enough, the majority of the terriers are said to be black and tan. The district we are now approaching is perhaps richer in antiquarian remains than any other in Britain. The whole slope of these Downs for miles is covered with various forms of earthwork; with barrows of every shape and size; with British and Danish camps; with

roads laid by the Roman over the trackways of our earliest ancestors, and distinguishable from them even now; and, lastly, we have the great mound of Silbury, a nation's handiwork, immediately beside the ancient temple of Avebury which we are now about to visit. The hill is very steep here—the merciful man is merciful to his beast—shall we alight, and walk a little?

'By all means,' replied I; 'let us walk a great deal. I am sure the poor mare must be quite tired.'

'Tired!' echoed Dryasdust; 'my bay mare is never tired, sir. She will come home, you will see, like lightning; she will rattle down this hill, my friend, in no time at all!'

I shuddered, for the place was a precipice with rectangular turns.

The air grew keener and fresher with every plateau we ascended; the habitations of mankind became rarer. We saw but two fellow-creatures from the time we reached the summit until we arrived at our destination—a farmer riding the other way at full speed, as though he were an escaped victim pursued by Druids; and a village idiot, who clambered up and clung to our vehicle behind, scratching the paint off with his boots and talons. Presently we came to a pretty village, with its gray church-tower peeping through lofty trees; scattered cottages, with gay gardens in front of them; and a grand old manor-house, with avenues of elm and lime.

'What enormous stones!' exclaimed I, as the bay mare swerved from one gigantic object standing by the roadway to within a hairsbreadth of another on the opposite side. 'Why, there has been a rain of giant stones here! One has fallen among the onions, look you, and one among those new potatoes.'

'Nevertheless,' quoth Dryasdust, 'they cannot have done much mischief to the vegetables. They have been here thousands of years before potatoes were ever planted. They are Druid-stones, and we are in one of the inner circles of the great temple of Avebury.'

The circle, alas!—even when the bay mare was put in stable, and I was left at liberty to look for it—was scarcely visible, but the reason of its being so was only too plain. Every house in the village was built of Druid-stones; every wall, every stile, every piggyer; the very gaps in the hedges were sacrilegiously stopped up with portions of those venerable relics. No other stones—save flints—are found in the neighbourhood, and the desecration has been going on for centuries. Famous John Aubrey was coolly told by one Parson Brundson of his own day, 'you may break in upon these mighty stones without much trouble, in this fashion: make a fire on that line of the stone where you would have it crack; and after the stone is well heated, draw over a line with cold water, and immediately give a knock with a blacksmith's sledge, and it will break like the collets at the glasshouse. The church is likewise built of them; and the manor-house, which was built by the Dunches temp. Reg. Elizabethæ; and also another fair house not far from that.' Aubrey writes this in 1663, after King Charles II.'s visit to the place; but since then the work of destruction has gone on far more lamentably. In his time, the stones were far apart, indeed, like the teeth of an aged man; but now there is but a tooth here and there—albeit most enormous grinder—and even the hollow places where its fellows stood are barely distinguishable. Still, from several points, as I stood with Dryasdust upon the vallum that surrounds the village, I could recognise the general plan—a vast circle of stones, and within it two much smaller circles, not concentric. Not to be so easily discerned, but yet to be verified by closer examination, are the two long avenues which once led, by a sinuous course, to this sacred place, each composed of a couple of hundred giant stones. In 1743, Dr Stukeley writes, 'Mr Smith living here, informed me that when he was a school-boy, the Kennet avenue was entire, from end to

end; and the doctor himself could count nineteen stones still standing. Of the Beckhampton avenue he writes: 'Many stones are just buried under the surface of the earth, many lie in the balks and mires, and many fragments are removed to make boundaries for the fields.' 'From time to time,' even now, says Mr Long in a very able paper upon Abury, published in the *Wiltshire Archaeological Magazine* in 1853, 'freak blocks appear above the surface, and the plough occasionally strikes on one hidden in a field, where similar operations have been carried on for years, without any such obstruction presenting itself. This has induced the country-people to adopt the belief (to which they adhere most pertinaciously), that the *stones grow*. Such appearances, however, are readily accounted for, when we remember that the earth surrounding these stones is constantly being reduced in level (especially in sloping fields) by the combined action of the plough and atmospheric influences; while the stones themselves, resting on a solid bed of chalk or gravel, cannot sink lower.'

Besides the still remaining stones—protected from barbarous destruction by the present proprietor of the place—there are numerous tumuli scattered without the vallum, the resting-places of those who wished to be buried near to the sacred precincts as possible, while, almost always in sight, notwithstanding the comparatively modern timber and buildings, towers the ancient hill of Silbury, the work of many thousands of pious hands. In days when there were no such obstructions, this must have been distinctly seen from every part of the temple, and was doubtless connected with its rites.

'And to whom is the place supposed to have been dedicated?' inquired I.

'To Teutates, sir—to Teutates, the Celtic Mercury, without doubt,' exclaimed Dryasdust with energy, and as though he had been contradicted. 'They burned his victims in wicker-baskets upon yonder hill; an eminence, you observe, evidently built for the accommodation of the winged Messenger, as an intervening place to rest upon before setting his sacred feet upon the level earth.'

'But surely,' I urged, 'my dear sir, having come so far, it seems scarcely worth while that they should have helped him down such a very little way as—'

I spoke with a smile, but the benevolent countenance of Dryasdust wore an unwanted harshness as he interrupted me; 'I perceive, sir, that you are but a scoffer, or, what is worse, that you have already embraced the pernicious doctrines of Duke and others, with respect to the plan of this great sanctuary. You are doubtless for the *Planetary* theory, advocated so speciously by some superficial investigators. I know it, sir, and despise it most thoroughly. You pretend that our ingenious ancestors, forsooth, established on these Wiltshire Downs a stationary orrery, located on a meridional line of some sixteen miles in length; and that these planetary temples, seven in number, would, if put in motion, revolve around Silbury Hill, as the centre of the scheme. That the sun is the southern circle here, and the moon the northern; and that the latter is represented as the satellite of the former, and passing round him in an epicycle.'

'Goodness gracious,' exclaimed I, 'my dear Mr Dryasdust, pray spare me the imputation of such a heresy. I assure you, I never heard of it until this moment. It seems improbable, and indeed unintelligible in a very high degree.'

'Your opinion, sir, does honour to your head and heart,' quoth the antiquary, grasping my hand: 'such a theory has nothing to stand upon but the twelve stones composing the inner, and the thirty which formed the outer ring—numbers which happen to correspond with that of the month and of the days of the month; all else is fanciful and illusory. Now, on the contrary, when we have ascended Silbury Hill, it will be made as clear to you as daylight through a

window, that this temple was no other than the Ophite Hierogram.'

'You don't say so!' exclaimed I, with as much animation as I could assume. 'Dear me! the off—I did not quite catch the name.'

'The ophite hierogram,' repeated Dryasdust; 'the representation, as I need not tell you, of the union of the serpentine and solar superstitions. It took no less than six hundred and fifty of these sarsen (properly sarsden) stones to portray the course of the serpent, to symbolise immortality in the scene before us.'

We were now half a mile from the village, at the foot of that great green mound built for the accommodation of Mercury, and even the enthusiastic Dryasdust was obliged to pause in his discourse, and husband his breath for the ascent. The hill is evidently the work of men's hands, and the shape of the great trench around it, which furnished the earth of which it was composed so many centuries ago, is clearly visible. Steep as it is, it occupies so much space that a cricket-ball cannot be thrown from its summit, it is said, without striking the mound on its way. The Archaeological Society, some years ago, ingeniously satisfied their curiosity as to its contents without any injury to its form, by sinking a shaft (which they afterwards filled up again) from the top of the hill to the bottom; but—to the great delight of the believers in Mercury, and the confusion of those who held the thing to be a tumulus—nothing was found.

'A man who can stand here, and not believe in the ophite hierogram,' exclaimed Dryasdust, extending his hands toward the village, 'must be as Stoneblind as the Druids themselves. Filling up in imagination the ravages of Time and Man, and banishing from the picture all products of the barbarous Present, there lie the Coil, the Head, and the Tail of the serpent distinct and indisputable.'

It was not for me to contradict a gentleman of Dryasdust's inches, standing as I then was, moreover, upon the verge of that artificial hill, to the steepness of which I have already alluded. I saw no serpent myself, but I endeavoured to put on the appearance of one who did. 'The tail,' remarked I, 'is especially recognisable. How much of ground is the whole animal supposed to have covered?'

'An area of twenty-eight acres, twenty-seven perches,' returned the antiquary, 'with a circumference of 4442 feet. There have been cart-loads of bucks' horns, bones, and wood-coal dug out of the vallum, doubtless the remains of sacrifices. The place was of prodigious importance. Conceive the labour which must have been expended in collecting these enormous masses from the Downs yonder, and placing them in position. They are supposed to have been brought down on rollers. One of those two yonder by the turnpike is more than thirteen feet high, eighteen wide, and six feet thick, and its fellow is almost as huge. The weight of the largest specimens still left is sixty-two tons; but, a few years ago, we had one which reached ninety tons.'

'It is a wonderful place,' said I, 'and has indeed seen strange changes. There are the Druid-stones, the parish Church, and the red-brick chapel of Lady Huntingdon's persuasion, all together yonder.'

'Yes, indeed,' assented the antiquary sighing; 'the gradual decay of religion, sir, symbolised in little. There is still, however, some very fine old ale to be got up at the inn. The mare will have well fed by this time.'

At the mention of the mare, and the prospect of the unnecessary elevation of her spirits after corn, I became a little melancholy; and when I perceived the difficulty experienced in harnessing her in the public street, and the delicacy demanded of all concerned in that operation, my solicitude increased. However, by closing my eyes, and endeavouring to fancy myself in the Express, I sat through the journey home—I hope with some outward appearance of

calmness and intrepidity. Not until I got safe to Dryasdust's door, and well out of that abominable trap, did I confide my apprehensions to his bosom. 'So that is the bay mare,' said I, eyeing the creature contemptuously, 'who has "kicked everything to pieces scores of times," and that nobody but Jack Strong-i-th'-arm can manage!'

'No, it is not,' replied her master laughing; 'but at last I perceive why it was you kept your eyes shut when we came down Steepside Hill. This is the quietest animal in the world except when being harnessed. Our friend meant to warn you, I suppose, of the old gray which I sold at Tan Hill fair—the hill of Tanaris—only last week.'

'I wish he would pronounce his words a little more distinctly, then,' said I, 'for so I should have passed a pleasanter day. I certainly understood him to say bay.'

#### JAPAN AND THE JAPANESE.

We English, who first set the fashion of sailing round the world, have not got tired of it yet. Almost everybody who accomplishes that voyage sees something new, or at least undescribed, by any who have preceded him; and it is still really 'something to talk about.' The Austrians, indeed, have just performed the feat for their first time. A gentleman of the *nil admirari* school may curl his lip in tolerable security, when he can aver, 'I have been from Gravesend to Gravesend, and found all barren;' but a man who voluntarily circumnavigates the globe is commonly formed of more sterling stuff, and finds a great deal that is fruitful. Certainly, such has been the case with our latest circumnavigator, Mr Arthur Tilley, who, being offered a passage in a vessel about to undertake this enterprise, 'jumped at it' at once, albeit there were but forty-eight hours allowed him for preparation. This vessel was a Russian ship-of-war, which, in company with two corvettes, was bound for round the world in general, although for the Amoor River and Japan in particular; so that an opportunity was given not only of seeing strange lands and their inhabitants, but of studying the character of a people very alien to ourselves during the intervening passages at sea. In the way of safety and comfort, such a plan left nothing to be desired, while even the necessity which sometimes hurried the voyager away from places where, as it then seemed to him, he would have been content to pass a lifetime, is not to be deplored, since otherwise, how would he ever have finished his journey, or got home to publish it?

Sublime, indeed, must be the satisfaction derivable from this universal survey of the earth we dwell on! What heaped-up experiences of men and manners must be gained by it, and what charity towards our fellow-creatures of every creed and colour ought to flow from its acquisition! What exquisite sights, what unimaginable odours, what new melodies of nature and of art, must meet the senses! In the tropic seas, the delicious scents from the great garden of the land are borne by the morning breeze to meet the voyager while yet a great way off, and thereby he perceives he is drawing nigh the coast long before his eye can recognise it. 'In the Straits of Sunda,' says Mr Tilley, 'we were made aware of the vicinity of land by a number of birds of Paradise which hovered about our masts; and by tangled masses of cocoa-trees and rattans, which, driven by the current, floated out into the Indian Ocean.' The whole of the evening on which they first made the

Japanese coast, 'the officers, in spite of the rain, were all on deck, their eyes bent on the dark mountain-range before them, anxious to arrive in the mysterious land so long a marvel to the rest of the civilised world. The comodore, captain, and master, enveloped in their thick leather coats, were peering into the gloom, or now and then consulting the chart of the coast by the light of the ship's lantern. Presently a faint light was seen ahead; then, one after another, some four or five hundred flaming torches, fixed over the sterns of as many fishing-craft, came in view. It was a beautiful sight, those lights against the dark mountains, forming a half-circle round the bay, and extending as far as the eye could reach along the coast.'

With the Chinese, our traveller had already made acquaintance, but without much satisfaction to himself. He fell so much in love with an instrument used by the Batavian police, and greatly recommended by all who have dealings with Chinese, as to afford us a wood-cut of it. It consists of a light pole, having at the end a fork-like division, made out of a bush, on which the thorns inclining inward are left. With this the policeman catches the evil-doer by the back of his neck. If the culprit remains quiet, it does him no injury; but on his attempting to run away, the thorns run into his flesh, and unless he stops instantly, lacerate his neck in a fearful manner. This ingenious weapon also keeps the Chinaman at a respectful distance—a desirable thing for many reasons! The Chinese are the most desperate gamblers in the world, and when they have lost everything else, will risk their wives, whom, indeed, they are accustomed to treat at all times with neglect and cruelty. In Japan, on the contrary, the women meet with care and affection; and when a man says that he has lost his wife, he means as we do, that she is dead, and not that his friend has won her of him at cards or dice. The religious ceremonies, too, of the Chinese are by no means imposing, to judge from that grand one of blessing the junks returning to China with the south-west monsoon, in the Buddhist temple at Singapore. 'A crowd of lounging Chinese filled the place, some lying on the floor, some smoking their bamboo-pipes, some gnawing sugar-cane, and others engaged in conversation. Respect there was none. Presently twenty or more bonzes arrived, and commenced divers antics; gongs were beaten, incense smoked, and, as a finale, a huge heap of crackers was exploded before the altar. On this, each bonze caught up the image which was next him, and, with a hopping step, ran across the road to where the boats were waiting to take them on board the junks. I could hardly believe it possible that religion could become debased by man to such an extent as this.' Now, in Japan, although Buddhism has succeeded Sinfoolism (a very respectable religion, professed by many Conservatives of our own nation—namely, the Worship of Ancestors), the people do not let off crackers upon occasions of particular solemnity.

Nevertheless, the political institutions of Japan fall a great way short of perfection. The government is about the most absolute despotism that exists, or has ever existed, yet tempered by ancient customs having all the force of laws. The policy which has ruled this nation surpasses all that Machiavelli, Metternich, or Talleyrand ever dreamed of. Fouché would have been a demigod, could he have had such a police and such spies. 'The chief emperor is the Mikado, or Diari, whose residence is

Miako. He is the chief of all the religions of the empire, but particularly of the old Sintoo. Formerly, he was the ruling temporal prince, but he has long been reduced to a state of political impotence, like that of a *roi fainéant* of early French history. He is consulted *pro formâ* on all subjects of importance, though his counsels are not necessarily followed. It is reported that, when informed that a treaty had been made with the Americans and Russians, he was totally opposed to it, and predicted that numerous evils would ensue in consequence, which have certainly come to pass. His court is said to be the seat of the arts and the resort of learned men. His attendants are priests of royal or noble blood; his wife and concubines the prettiest and most cultivated women, as are also all those of his court. He himself is weighed down by his honours. But very little is known as yet either of him or his half-fabulous court.

'The Tycoon, or Siagoon, is the temporal emperor, of hereditary descent, and the real source of all political power. He resides at Yedo. His government is a council of state, of whom five are said to be feudal princes, and the rest chief nobles; through this council must pass all important affairs and the signing of death-warrants. The minister of police holds in his hand the threads of the vast spy-system of the empire, but does not form a part of the council of state. The chief councillor, or prime minister, is said to be the most important personage after the Siagoon. If the Tycoon refuse to sanction any law made by his councillors, or by a majority of them, the matter is referred to a committee of chief princes, of whom the heir-apparent is one. If their decision be given against him, he must resign; if, on the contrary, in his favour, those of the council who opposed him are supposed to commit suicide.'

The feudal princes of Japan are very powerful, and possess large bodies of retainers. The Prince of Satoguna is quite an independent sovereign, and has an army and even artillery, which the proximity of his State to Nagasaki has enabled him to acquire. His officers were studying gunnery under those of a Russian frigate while our author was in that town. The imperial spies scarcely ever enter his dominions, as they are almost invariably murdered, so excellent is his own counter-police. After the princes come the noblemen, who furnish the state with governors of the imperial domains, and to every one is attached a *locum-tenens*, or rather spy, who reports on his conduct. This is a recognised part of the government, just as an opposition in parliament is with us. These nobles are obliged to remain half the year in Yedo, and their wives reside there altogether. If one of these noblemen becomes too rich, honours are heaped upon him, which force an enormous outlay—a policy which keeps them in a state of subjection.

The next class are the Sintoo and Buddhist priests, the latter of whom profess celibacy, but only as a briefless barrister professes law—they do not practise it. Then come the soldiers; and, fifthly, the inferior government officers, the interpreters, the medical men, and the literati. All the above wear a couple of swords and a pair of trousers, the latter garment being on no account permitted to any of a lower rank. The merchants, who form the sixth class, are rich, but much despised; the seventh are the mechanics, all of whom have their various Guilds, as they did of old in Europe. The agriculturists form the last round of the Japanese social ladder, with the exception of the Pariahs—the outcasts—whose trade may happen to be that of skinning dead animals.

The Japanese, although belonging to the Mongolian race, are, physically, a very favourable specimen of humanity. They are well formed and muscular, with skins of a warm white, which, however, yellow with age. 'The abundant black hair of the women is bound up into thick masses at the back of the head, and a

number of little arrows, made of gold, silver, or ivory, are passed through it, something in the same manner as with the peasant-girls on the Rhine. Their *coiffure* once made, and the hair plastered with wax, it remains untouched for many days, care being taken not to disorder it in sleep. The teeth are an object of much attention; the young girls and the men have them white and even; the married women still even, but glossy black. Brushes made of soft wood, and a fine powder, are used to keep them white; but the picture of an old woman, with her kani-box before her, blacking her teeth, is one of the most disgusting sights which a stranger can look on. Many girls also blacken their teeth, but the substance with which they do it is not very durable, as I have seen a brush and a little powder make them white and glistening again in a few minutes. The women also extract their eyelashes, paint their lips and cheeks with safflower (*rouge*), and use rice-powder extensively in their toilet. Altogether, the Japanese men and women, if not strictly beautiful, have much which is agreeable, and certainly original. The young of both sexes are remarkably pleasing; ruddy, laughing, and graceful in their actions; but though a young girl be like an angel at fourteen, she will be worn out, old, and ugly at twice that age. The males shave their front-hair, and training their back-hair over the shaven part, tie it neatly with paper-thread. Paper is one of the most remarkable articles of Japan industry. 'Thick paper, made of the bamboo, is oiled, and made into umbrellas, great-coats impermeable to wet, and coverings for palanquins and boxes. Thinner sorts, made from the finer part of the bark of the mulberry-tree, are for personal use—for blowing the nose, wiping the fingers, wrapping up the meats taken from table, and various other practical purposes. Every man or woman has the long sleeve-pockets filled with this useful article, and it forms an important clause in the marriage-contract what supply the wife is to receive every month. The finest quality is used in rolls for writing, printing on, and making into writing-books.'

The Japanese cutlery and sword-blades cannot be surpassed in any European country, although iron is scarce with them; and they have generally great skill in the working-up of metals. Their linen and cotton cloth is coarse, but soft; and from the price Mr Tilley paid for it, he concludes that foreign manufactures could not compete with it. The staple product of the country is rice, for although the soil yields the fruits of temperate and tropical climes, they are of very inferior quality. The cotton-tree and the tea-plant are planted as hedges to economise space. All the houses are of unpainted wood, the outsides being generally formed of sliding panels, so that the door may be in any part the owner likes. Inside, there are other sliding panels, with window-frames; and a space from one foot to six feet wide is left between the outer and interior slides, which forms a kind of balcony, either for pleasure or for performing domestic jobs. All the windows are of oiled paper, stuck on neat frames with a glue which is insoluble in water. The interiors are divided into chambers by sliding screens of paper, ornamented with paintings of scenery or of animals. Foodra, with its flat, snow-topped summit, tortoises, butterflies, cranes, and monsters, are the favourite delineations. The floor is covered with mats of a uniform size, about half an inch thick, and in the middle is a square place for the wood-fire, when a brasero is not used. There is little or no furniture, so called; indeed, none is needed. The inmates sit on the mats by day around their trays at dinner, or tea-drinking; and at night, a thick mattress, covered with silk, crêpe, or cotton, is laid on the floor for a bed; then the Japanese, throwing off his day-garment, puts on a thick wadded keremon for his night-toilet. The most curious article of bed-furniture is the pillow. In the Malay Archipelago,

a hollow bamboo platted pillow is used; in China, a roll of stuff, encased in a lacquered cloth, and painted with different devices, is the mode; but in Japan, the pillow is a pretty little lacquered box with drawers, in which the ladies keep their paper, hair-arrows, &c. The top of this box is concave; and a little cushion, in shape and size like a sausage, is wrapped in clean paper, and placed in the hollow, for the back of the head to rest upon. The Japanese always sleep on their backs; and as only a small portion of their head touches the pillow, their elaborate coiffure does not become disordered during the night's slumbers. Their sleep, however, is only for short periods, as it is the custom to eat in the night from a tray placed by the bedside, or to take a few whiffs from the pipe; the tobacco-box, containing live embers, and other conveniences for smoking, being always within hand's reach.'

Our author found the people to be both good-natured and social. Even the bonzes would sit down to dine with him, and hold out their cups for whisky. Upon a certain bonze and a farmer, guests of his, that unaccustomed liquor had on one occasion a wonderful effect. 'The farmer began to sing; the little eyes of the bonze rolled in delight, and he commenced helping himself to the potted and forbidden beef, and that in the presence of all his flock outside. Japanese civilities were then exchanged. These consisted in drinking out of one another's cup, or presenting an egg or something with the fingers. But when the old bonze did me the great honour of biting off half an egg, and presenting me with the other half, it was too much, and I declined the honour; but the reverend gentleman was not to be done out of his politeness; he bit out another piece, and again offered the remainder, with the same result. This he repeated two or three times, and at last, seeing I did not appreciate his civility, he tried to push the now dirty fragment of the egg into my mouth. A retreat only saved me from the choice morsel; and this winding-up of the scene was followed by a roar of laughter from the folk outside. The bonze, perfectly intoxicated, now rolled homewards; the farmer staggered after his horse. Ten minutes afterwards, as we rode up the street, we saw the same old bonze, seated before his drum, tapping and grunting out his prayers in the house of one of his private connections.'

The offer of a glass of whisky is introduction enough, of course, all over the world, but without such a medium, the ceremony of introduction in Japan is a little tedious. 'The common mode of salutation is to bend nearly double, and remain so for some time in conversation, giving a bob down for every compliment, which, as politeness is one of the greatest Japanese virtues, occurs very frequently. The visit or rencontre ends in the same way as it begins; and it is a most amusing sight to see two old women bobbing thus, and chattering for half an hour before either one or the other will give in. The men generally salute one another in the same manner, but they pass the hands down the knee and leg, and give a strong inhalation of pleasure while performing these gymnastics. The difference may be seen at once between inferiors saluting their superiors and equals saluting equals: in the former, a low bend from the inferior, till the fingers touch the ground, a curt yet affable bend from the superior. But there are a great many nice distinctions observed in the etiquette of salutation according to rank, which could only be made intelligible to the stranger by the lectures and demonstrations of a professor.' Of course, it requires patience and courtesy on the part of a foreigner to put up with such ridiculous obstacles to intercourse as these; but it would be well worth the while of Englishmen to exercise those virtues more than they do. The superficial polish of the travelled natives of Russia, as well as its evident barbaric

strength, may have done much to gain for that power the respect which it enjoys among savage nations; but it is also always very solicitous to observe their customs, and careful not to offend their minutest scruples. Of course, our independent jack-tars are not to be tutored like the subjects of the czar, but their animal spirits do certainly require some mitigation.

I saw one or two instances of men speaking the English language entering the clean, mat-spread rooms of the Japanese in their dirty boots, in spite of the protestations by words and signs, and the looks of despair of the owners. To shout at and abuse the people, tiresome and procrastinating though they be, is ill calculated on the part of foreigners to gain their willing services; yet I witnessed many instances of such violations of civility during my stay in Nagasaki. I wish my countrymen and Americans would remember, that to treat the people of Japan, with whom they may have to do, as they would a Hindu servant or a Chinese cookey, will be the very worst manner of having their wants or wishes attended to. On the other hand, kindness and attention not to violate their prejudices, and, if possible, to enter into their social life, will be the best method of having everything that may be required. This was the way in which the Russians, during their stay of nine months in Nagasaki, contrived to gain the affections, not only of the people, but of the higher authorities. Captain Unkofsky, and through him his officers, had only to express a wish to have it satisfied, where it was possible; his name was known for miles around, and called aloud to us in the streets as we passed. The officers, in their walks through the town, were surrounded by laughing children, backed by a circle of pretty girls, with the men peering over their shoulders. One officer especially—Prince Oukotomsky, the grand duke's aide-de-camp—knew, I think, all the children of Nagasaki; for they would crowd round him, shake him by the hand, and in their gentle, pretty little way, talk to him till he arrived at his destination.'

Altogether, Mr Tilley gives a brighter and more hopeful picture of the state of Japan, and the temper of its people towards foreigners, than any writer with whom we are acquainted. It cannot be expected that a nation which has held itself aloof from every other people since the world began, should easily understand the advantages of commercial intercourse. But Western science has already made great strides among them—they even use mercurial barometers—and we, the outward world, have friends in their council of state, who, let us hope, will not 'draw a sabre across their stomachs crosswise,' because their favourable views towards us may meet with temporary opposition. The Japanese statesman has a difficult part to play. 'I cannot help pitying,' says Mr Tilley, 'the perplexity they must feel at each new arrival of fleets to make treaties, or remake them; for negotiating with foreign powers—a new kind of diplomacy to the Japanese—has proved most disastrous to the ministers engaged in it. With the best intentions, perhaps, they have to cede to the force of circumstances and the power of the stranger from without, to combat the opposition of a powerful anti-progressive and anti-reform party within, and run the risk of meeting destruction whichever way they act. Both are hard alternatives; and a Japanese statesman must have an extraordinary quantity and quality of the duplicity which is characteristic of his race and profession, if he can steer clear and turn to his profit the difficulties which attend all diplomacy with the foreigners. If he refuse to grant their demands, he knows not how soon their cannon may be thundering around the shores of his country; if he grant too freely, or grant at all, he is never certain of the day when a small sword, presented to him with the greatest respect, is to be the symbol of his downfall,

and the signal that he must use it on his own person, to save his family from being involved in the same disgrace. It is not, therefore, to be wondered at that procrastination and all sorts of excuses should attend the making of a treaty, and that all sorts of difficulties and falsehood should be made use of afterwards to nullify it.'

#### A TALE OF A FLUTE

In the year 1685, there lived in the narrow winding Rue Mazarine which leads to the present Quartier Latin of Paris, two artistes of great reputation—a sculptor and a musician. May be they had heard of each other, but neither of them knew the other's face, and some historians say they were mutually ignorant of each other's existence.

The sculptor had already acquired great celebrity: he had decorated with two beautiful statues the magnificent palace of the Cardinal de Furstenberg at Saverne; every one admired the elegant tomb he had carved for Mazarine; and many specimens of his work had been chosen to ornament the various châteaux of the king. Besides all this, he was president of the Academy of Fine Arts. His name was Antoine Coysevox.

A musician whose talent is limited to performing upon a certain instrument, can doubtless acquire very brilliant renown during his lifetime; but, as he leaves nothing after him to remind posterity of his merits, it is rare indeed that his name survives him. Thus it is that history has not consecrated the smallest page to the memory of Gabriel Desmarest, who was, however, first-flute in the celebrated orchestra of Lully.\* The windows of Gabriel's *appartement* were exactly opposite those of Coysevox; but as the latter worked constantly in his studio at the back of the house, it was natural enough that the melodious sounds of Gabriel's flute never reached the ears of the sculptor; neither were the strokes of Coysevox's hammer ever heard by the musician.

But Coysevox was not the only person in his house who possessed the faculty of hearing. Our academician had a niece, a sweet girl of seventeen summers, of whom he was the sole guardian. Fresh as the morning, hair as brilliant as jet, and eyes as dark, such was Marianne, who, besides these attractions, had a decided *penchant* for good music. It was, indeed, the only pleasure in which the pretty child allowed herself to indulge, and this indulgence was solely due to hazard having brought Gabriel into the neighbourhood.

Anxious to fulfil his responsible guardianship as conscientiously as possible, Coysevox had imagined that the best means of keeping his eyes ever upon his niece, was to allow her to quit the house only when he went out himself; and as all the outdoor exercise he was in the habit of taking consisted in a short promenade in the garden of the Tuilleries on Sundays, when it was fine, poor Marianne lived truly the life of a recluse. A little needle-work, three or four affectionate words from her uncle at breakfast and dinner, and some vague castles in the air, which she was aided in building by an old nurse called Nicolle, constituted the little varied phases of Marianne's existence.

We cannot be surprised, therefore, that she added to this monotonous life, as a sort of supplement, the pleasure of listening sometimes to the soft melodious sounds of Gabriel's flute. No sooner was his music wafted across the narrow street, than her needle was allowed to fall idle into her lap, her gaze became fixed, she scarcely breathed, lest she should lose one pearl of the string of melody. Sometimes, when Nicolle was not present, Marianne was even courageous enough to open her casement, and lean out for a

\* To this celebrated composer we owe many fine operas, among others, *Armide*.

while upon the balcony, thereby lessening considerably the distance across the street. Nicolle was not, however, a person to be feared; it would have been impossible to find a more kind-hearted old creature, or one more devoted to her young mistress. But Marianne's conscience at this period, whilst making her believe she had already something to keep secret, told her she had no confidence to make. The old nurse Nicolle was not devoid of a certain talent of observation: all old maids are possessed of this faculty—the question is only one of more or less.

'Here's a singular coincidence,' she said to herself as she pottedtered in and out; 'it's always just when the flute begins to be heard that mademoiselle ceases her work; and I am no sooner out of the room, than she feels the necessity of a little fresh air! Ah, ah! there is something going on in that little heart there, that will not be long in making itself known to me. When the cup is full, it must flow over; and in matters of love, the heart of a young damsel is never very long in filling.'

That which had been observed by Nicolle had not escaped the eyes of Gabriel. However much precaution Marianne used to open her window quietly, the noise, slight as it was, never failed to tickle the ears of our musician; and the latter, whilst playing, did not keep his eyes so fixed upon the music as to be unable to recognise, every morning, the same pretty head attentively listening on the balcony over the way.

It was not very long before Gabriel himself began to feel also the necessity of taking a little fresh air at his window, especially when he had studied, or rather performed, one of his pieces; for, it should be remarked, since he had become aware that his music was seriously attended to, he took care to *study* in a little back chamber; he only performed pieces of which he was perfectly master near the window which looked into the street, and Heaven knows if he played them or not with all the exquisiteness of which his talent was capable!

It sometimes happened that our artiste and his charming audience found themselves leaning on their respective balconies at the same moment; but neither had, at first, the courage to encounter each other's gaze; they appeared, on the contrary, absorbed in very different occupations. Gabriel's attention was evidently riveted upon the clouds, as if he were inquiring which way the wind blew; and Marianne appeared to be attentively counting the rare passers-by in the street below.

However, one day, as they were probably about to change their respective parts—as it became Gabriel's turn to count the people in the street, and Marianne's to discover the way of the wind—their eyes met; each immediately felt a species of electric shock. Marianne blushed crimson, and retired abruptly from the window. She promised herself, there and then, never to commit such an imprudence again, and the very first thing that happened to her next day was to break her word. However, she shewed a little more courage this time in supporting Gabriel's gaze, and did not think proper to flee from the window as she had done the day before. Gabriel, on his side, to put an end to such an embarrassing situation, thought proper to risk a respectful salute, to which Marianne, out of pure politeness, could not refuse to respond.

But here began the great difficulties of the situation. Gabriel thought of writing, but he durst not do so; he feared, and very properly too, that it would expose Marianne to disagreeable scenes at home. He thought of speaking to her, but it was in vain he sought for a convenient opportunity; Marianne never went out except on Sunday, nor without her uncle. It would be difficult to imagine all the projects and devices that passed through the brain of poor Gabriel for the next few days. We should add, as a true historian, that Marianne also was tormenting her mind to discover, if possible, what this young man, who

played the flute so well, who made her such gracious salutations, and who looked at her so tenderly, was going to do.

By one of the most singular of hazards, Coysevox himself was no less uneasy at this period than his niece, and the subject of his troubles was also a flute-player.

In the Jardin des Tuilleries, near the palace, and a few steps from the gate which opens into the Rue de Rivoli, many of us have admired the beautiful marble statue of the demigod Faunus playing on the flute. At the time of which we write, all the faculties of Coysevox were absorbed in the conception of this *chef-d'œuvre*. The illustrious sculptor had then attained that maturity of talent, and that degree of reputation, which forbade anything of a mediocre execution to leave his studio. Convinced of the necessity of producing a statue as perfectly beautiful as his chisel could make it, he often undid one day what had been laboriously done the day before; sometimes the entire attitude of his Faunus displeased him, or sometimes he endeavoured to give an arm or a leg a more graceful position. But what troubled him more than all the rest was the head. He actually despaired of ever being able to make his Faunus play upon the flute without a ridiculous exaggeration of the muscles of the cheeks; and the more Coysevox advanced in his work, the further off appeared the object to be attained—all that he had yet produced was, to say the best, a frightful caricature. The cause of this—and he knew it too well—resided in the models who sat for him. These poor folk, whose profession consisted in being artists' models, and not flute-players, were more awkward one than another. They could not even hold a flute properly, much less play upon it. Coysevox had tried all his models, one after another; he had come to the last of them, but all in vain. In the morning when he rose, and in the evening when he retired to rest, but more especially during his meals, and in the presence of his niece Marianne—who was thinking of something else—and of his servant Nicolle, who naively chimed in with his lamentations, Coysevox usually burst forth with the following exclamation: 'By all the saints! the first condition requisite to a man who wishes to adopt the profession of model, ought to be that of knowing how to play the flute!'

Such was the situation of our different personages the day that the following incident occurred.

That day—it was in the morning—an observer sauntering in the Rue Mazarine between the house of the sculptor and that of the musician, might have remarked the same succession of facts and movements that had invariably taken place, about the same hour, for the last fortnight. Two windows would be seen to open, then a most charming melody would be heard, which, whilst on its road to the person for whom it was intended, could not fail to attract other ears that it might meet on its passage; then would appear Marianne and Gabriel, when the usual salutations, responses, and tender looks would be exchanged. Marianne held in her hands a bouquet of roses, upon which her eyes, when they were not engaged in another quarter, were fixed as if she were absorbed in a most minute botanical study. Suddenly the bouquet escaped from her grasp, and fell into the street. We cannot say whether this accident was arranged beforehand, or whether it was purely an accident; but one thing is certain—namely, that Gabriel descended into the street by his stairs almost as rapidly as the bouquet had fallen there through the air. Possessor of the precious treasure, he fled back again to his chamber, reappeared at his window, and had soon covered with kisses the flowers so recently pressed by the hands of Marianne. But, fearful of the interpretation that could not fail to be given to her apparent carelessness, the niece of Coysevox had already vanished.

When he had sufficiently contemplated, admired, and embraced his flowers, Gabriel was again absorbed in reflection, when he remarked the sculptor leave his house, and stroll down the Rue Mazarine towards the river. This circumstance conjured up in the young man's mind a somewhat courageous idea.

It was contrary to his habits that Coysevox had abandoned his work so early to take a little exercise. He had been up since daybreak, and had shut himself into his studio, determined to vanquish alone and without the aid of any model the difficulty which embarrassed him. A sort of fever had arisen in his brain, and the modelling-stick trembled wildly in his hand, shaken by a nervous frenzy. Obliged, therefore, to relinquish his work for a while, he decided upon breathing, for a few minutes, the fresh air on the borders of the Seine. Old Nicolle, who had never before seen her master leave his home at such an hour, had scarcely recovered from her surprise, when three extremely timid knocks startled her and called her to the door. She opened, and found herself face to face with Gabriel, whose awkward entrance and very confused manner amply indicated that he felt his presence there to be a piece of audacious temerity.

'What does monsieur want?' said the old servant in a polite, gentle tone of voice.

Gabriel shewed her the roses he held in his hand, and began: 'Here are some flowers which—that about—'

'Monsieur is probably mistaken,' interrupted Nicolle; 'it is not customary for us to receive bouquets.'

'O no!' exclaimed Gabriel, somewhat encouraged by the kind looks which flashed across the physiognomy of the old servant, and belied the affected coldness of her words; 'it is not an offer I come to make, but a restitution.'

'A restitution!'

'Yea. Your mistress was a few minutes ago at her window, and unfortunately let slip this pretty bouquet into the street; and—'

'Oh! I understand,' again interrupted Nicolle. 'Monsieur hastened to pick up the lost flowers; and in his impatience to return them to their rightful owner, he has taken care to wait until the master of the house was absent from home!'

The smile which accompanied this penetrating reflection was nothing short of an encouragement. Gabriel joined his hands in a supplicating manner without daring to answer a word. Nicolle seems to have understood this silent prayer. 'Allons!' she exclaimed, smiling. 'I have not the heart to repulse an affection which is honest and sincere.'

Gabriel nearly suffocated the old servant in his embraces.

At this moment the noise of a latch-key was heard at the door.

'Heavens!' cried Nicolle, 'here is Master Coysevox returned.'

'Where can I hide?' ejaculated Gabriel in a half shriek, half whisper.

'Impossible—there's no time. Silence!' returned Nicolle, advancing to meet her master.

And our three personages contemplated each other for a few seconds in complete silence: Coysevox, surprised to see in his corridor a young man whose face was totally unknown to him; Gabriel, awaiting with fear an interrogatory, the issue of which, it appeared to him, would be anything but agreeable; Nicolle, racking her brains to imagine some means of avoiding the impending peril.

Coysevox broke the silence. Turning to Gabriel, he asked in a cool, haughty manner: 'May I know, monsieur, the motives which have procured me the honour of your visit?'

Gabriel bowed extremely low and very slowly, to give himself time to find an answer.

The imagination of Nicolle was, fortunately, prompt

enough to save him the trouble. 'Ma foi, monsieur,' said she, 'it appears to me that the motives will not displease you. It is now nearly a fortnight that I have heard you exclaim, night and morning: "Who can procure me the satisfaction of having a model who knows how to play the flute?" Well, now, the satisfaction you desire, my master, you owe to me—here it is!'

'What! this gentleman?'

'That gentleman is a poor young man who is seeking a profession, and has begged me to recommend him to you. As he plays the flute neither more nor less than a veritable musician, I proposed that he should come to you as a model, and when you entered, he was about to accept my proposition.'

Gabriel gave a nod of assent. He could not think of contradicting Nicolle; for, besides extricating him from a great peril, the good old creature opened the house to him, probably for more than once.

'By all the saints!' exclaimed Coysevox, 'this notion of yours, Nicolle, is an exceedingly fortunate idea. Ah! you know how to play the flute, my friend, and you wish to utilise your time?—I engage you for to-day, to-morrow, and for the whole of next week. I will employ you on every occasion, and in preference to any one else. I will recommend you to my comrades: in a word, you shall be as contented with me as I hope to be with you. Say! is it a settled affair?'

'I obey your orders,' returned Gabriel slowly.

'Yes! Well, then, let us begin immediately. I felt a little fatigued—disgusted even—but your arrival has given me fresh vigour. Follow me into the studio!'

Gabriel did not wait to be invited twice; perhaps he thought that in a few moments he would be presented to one he was burning to meet, and who, doubtless, would not take it amiss that he had engaged to play the part of model in order to be near her. Blighted hopes! Not a soul in the studio! only a few statuary in the rough state, among which was the famous Faunus playing on the flute; and in a corner of the room, two or three blocks of marble waiting, before putting on their poetic forms, for a caprice of the imagination of the maestro.

'Nicolle will not fail to tell her,' thought Gabriel; 'and if my heart and my eyes have not deceived me, she will not be long in making her appearance.' Whilst making this consoling reflection, he sat himself upon a block which Coysevox had drawn into the centre of the studio. The sculptor then placed in Gabriel's hands a flute, which upwards of twenty models had already held, but out of which not one of them had been able to draw a sound.

Coysevox, a hammer in one hand, a chisel in the other, and standing erect before his Faunus, uttered a cry of joy when he perceived the elegant manner in which Gabriel held the flute and pressed it to his lips. 'By all the saints,' said he, 'I am a resuscitated being! If between us we don't make a *chef-d'œuvre*, the devil himself must be mixed up in the work!' And after giving to his docile model a few last instructions, he said to him, in a solemn voice and with a gesture befitting to the leader of an orchestra—'Play!'

Gabriel obeyed: he began an air of the opera of *Alceste*. 'Superb music!' exclaimed Coysevox; 'it is by our friend Lully.'

But what made most impression upon our sculptor was not the beauty of the music; it was the realisation of his dreams, the accomplishment of such ardent wishes: he had, at last, Nature herself for model! 'Perfect! excellent!' he cried, as soon as the air was finished. 'Begin again. Go on! go on!' Under the influence of a violent excitement, the sculptor felt his inspiration increase at each stroke of the hammer; his eyes flashed fire, and his chisel seemed to fly over the marble.

As for Gabriel, it was in vain that his eyes remained invariably fixed upon the door of the studio; no

woman-figure appeared at the threshold; not the slightest rustling of a dress was to be heard in the passage. Our musician began to complain inwardly of the length of time and the awkwardness of his position. After having played three times the grand air of *Alceste*, he ceased for a moment to take breath; but Coysevox would not allow him to remain idle for a moment. ‘For the love of Heaven, my friend,’ he exclaimed, ‘do not let this sacred fire burn cold! Go on! go on!’

Gabriel commenced an air from *Acis et Galatée*. ‘Magnificent music!’ cried Coysevox; ‘it is also by Lully. By all the saints, young man, with God’s help and yours, I shall become a great sculptor as Lully is a great musician!’ And the chisel continued to work in the marble; the head of the Faunus appeared to become animated under the charm of such delicious music. After *Acis et Galatée*, came *Proserpine*; then an air from *Bellérophon*; next, some passages from *Perseé*, *Phaëton*, &c. All Lully’s operas were passing through the flute, one after another.

Gabriel began to perceive with horror that this sitting might be indefinitely prolonged. But could he risk the chance of losing Marianne, once and for ever? Could he throw up an undertaking so well commenced? No! sooner die, thought he, than fall ingloriously at a moment when his object was so nearly attained. He resolved, therefore, to continue playing upon this flute with the same perseverance that the sculptor manifested in working his chisel; only, he endeavoured to keep up his strength by the most pleasing images his weary mind could conjure up. Alas! two-thirds of the day had flown without the realisation of his most modest dreams, and nothing appeared to indicate that Marianne would not continue to remain invisible! With what disappointment would he not have been overwhelmed, had our flute-player known beforehand, that when Coysevox was once shut up in his studio not a soul was allowed to enter there—not even his own cherished niece—lest he should be interrupted in his delicate work!

The lungs of poor Gabriel began to weary. Six hours of *flauto obligato!* and the sitting was not yet finished! No sooner had a sound died away from his weary lips, than Coysevox, his eyes glittering with excitement, cried in a pitiful voice: ‘Go on, my boy! Courage! Three louis if you like for this sitting. Go on! go on!’

The indefatigable ardour of the sculptor devoured two more operas of Lully—*A madis* and *Roland*.

A seventh hour had down, when the sounds of the flute, which had become gradually more and more feeble, were now suddenly drowned by an exclamation from Coysevox himself. Rushing to the door of his studio, he shouted: ‘Marianne! Marianne! Come here, my niece; run, Nicolle!’

It would be impossible to describe the electric effect produced on Gabriel by these words. With a single bound, he sprang from his block to the side of the sculptor; but the latter cast upon him such a stare of astonishment, that, quite confused, dumbfounded, and with downcast eyes, he returned straightway to his sitting-place, and posed himself again in the attitude of flute-player.

It is evident that Marianne and Nicolle were not very far distant, for their names were scarcely uttered by the sculptor before both of them appeared in the studio.

In his first transports of joy, Coysevox threw himself upon his old servant, who had procured him so precious a model, and, while embracing her over and over again, gave Marianne and Gabriel time to recover from their emotions. ‘Look at that, Nicolle! and you, too, Marianne! Now, tell me—Where is that grotesque, ridiculous figure that was the cause of my despair a few hours ago? It’s gone—transformed—gone for ever, is it not? Ah! by all the saints, I knew that with such a model as this’ (pointing to

Gabriel), ‘I should make a *chef-d’œuvre*! But only look! See what a natural, elegant position; and, above all, how well my Faunus plays upon the flute!’

Then after a few moments of minute and silent observation: ‘This left cheek,’ said he, ‘requires just one more touch; two or three strokes with the small chisel will put it right. Wait—wait an instant! And you, my boy—a last effort, if you please! Go on!’ At the sight of Marianne, Gabriel had not only regained all his lost strength, but would willingly have played for seven hours more; he determined to tell her in music what was impossible for him, in his present position, to declare in any other way. He began the most passionate and melodious air in the opera of *Armide*, which some have considered as Lully’s master-piece.

Never before had Gabriel, even whilst under the charm of public applause, played with such exquisite taste and finish; his whole soul seemed to pass through his lips and spread over the fascinating melody.

Coysevox had given the final stroke of his chisel, but Gabriel did not perceive it. It was no longer he, but his love that played—love which revealed its secret that had so long been kept compressed.

Marianne, with eyes fastened upon Gabriel, listened attentively to this passionate and mysterious language. Nicolle felt her heart beat hurriedly, and the tears which rolled down her cheeks sufficiently proved that she had not become an old maid from want of sensibility.

Coysevox himself, now that his work was finished, appeared to be labouring under a kind of magnetic influence; the chisel and hammer had fallen from his hands; he stood immovable, and with open mouth, gazing vacantly at Gabriel! No sooner had the last note expired, than he exclaimed: ‘Admirable! marvellous! sublime! And you wish to become a model, my boy? Get along! Why, you are an artiste, and an artiste of the very first order! By all the saints, Lully would be proud to count you among the number of his celebrated musicians! and, whilst I think of it, Lully is an intimate friend of mine; and after the service you have done me to-day, you may be sure I shall not recommend you slightly to him. Tell me—shall I speak to him about you?’

The enthusiasm of Coysevox had encouraged Gabriel so much, that, thinking Marianne an easy prize now, he answered: ‘Ah! sir, when I presented myself at your house this morning, I—I had anticipated—I—I assure you—a very different prize’—

But he suddenly came to a stop: an anxious, terrified look from Marianne, and a similar one from Nicolle, told him it was not prudent to go quite so speedily into the business. He had said enough, however, to cool down Coysevox, and take away all the esteem he had begun to feel for Gabriel.

‘It is but reasonable,’ said the sculptor, raising his head with pride; ‘when a thing has been promised, it ought to be performed;’ and going to a drawer of his desk, he took out three gold pieces. ‘Is it possible,’ thought he, as he was about to return to pay Gabriel, ‘that with so much natural talent there can exist so little elevation of mind?’

As he turned upon his heel whilst making this philosophical reflection—by no means flattering to Gabriel—he saw the head of the young man suddenly raised, and the hand of Marianne as suddenly withdrawn. These rapid movements were to his naturally acute intellect an entire revelation.

Pretending to have observed nothing, he advanced towards Gabriel and presented him the three louis. He was received by the latter with a shake of the head.

‘I am already too well paid, monsieur,’ said the flute-player, ‘by the pleasure of having been useful to you.’

But Coysevox, raising his head with an air of offended dignity, quickly rejoined: ‘What do you

mean, sir ? Take them, sir, I insist upon it.' And his hand, holding the three louis, still remained obstinately stretched towards Gabriel.

Marianne knew by the severe looks of her uncle that he had guessed all, and she trembled with fear. Nicolle also did not feel exactly at her ease.

'Take them, sir, take them!' continued Coysevox; 'it is not customary for me to be served gratis.'

If any idea of payment had ever entered Gabriel's mind, he would certainly never have consented to play the part of model as he had done.

'Never!' he exclaimed. And his pride being raised to its greatest height, he pushed back the hand of the sculptor with such force, that the three gold pieces fell to the ground. At this moment, our four personages formed a curious tableau.

After a moment of absolute silence—such as generally precedes great explosions—Coysevox rushed towards Marianne, seized her by the wrist, and bringing her gravely towards Gabriel, exclaimed: 'It shall never be said, my boy, that I remain your debtor—as you will not take my gold, by all the saints, then, take my niece !'

We will not endeavour to describe the scene which followed—every one can imagine it. We will only stay to say that the payment of Coysevox was ratified a fortnight afterwards before the altar at the church of St Germain-des-Prés.

#### A T L A S T.

My life, it has been long,  
And the years have sped away,  
And in my youth, although they ran,  
I wished them not to stay.

But the prime of youth did pass,  
And I said to Time: 'Run slower.  
O bear not away the spring of life,  
That cometh to me no more !'

But Time made answer grave :  
'The summer doth follow spring ;  
If ye have sown in the early year,  
The summer the fruits will bring.'

But I smote my breast in grief,  
For not a seed had I sown,  
And I knew no fruits are for idle men,  
But for him that has toiled alone.

The summer did come and go,  
And lonely and sad was I,  
I said to myself : 'When autumn comes,  
I will lay me down and die.'

And I said to Time : 'O Time,  
My sorrow is great to bear.  
Will autumn seeds not bring forth fruit,  
If tended with tears and care ?'

But Time made answer grave :  
'The winter cometh fast.  
What ! can ye hope for a harvest still ?  
When ye let the seed-time waste.'

At the calm, cold words of Time,  
There fell on my heart a chill ;  
But autumn winds swept over the land,  
And they roused my sleeping will.

I said : 'It is not too late ;  
I will not sit still and sigh :  
Others have reaped in the waning year ;  
It is better to do than die.'

Deep down in the dark chill earth,  
I digged a pit for the seed ;  
I loved the hope that sprung in my heart,  
And strengthened my soul in need.

Day after day I worked,  
And tended it night by night,  
And loosed the soil for the tender plant  
That was springing out of sight.

But the winter-snow did come,  
And the chilling wind and frost ;  
My pulses throbbed as I watched the storm,  
For I feared that my hope was lost.

Despair would knock at the door,  
But I never would let him in ;  
I thawed the ice with my own warm tears,  
And remembered distrust was sin.

Slowly the plant would grow,  
And the little shoots appear,  
And 'Alas !' I cried, 'for the wasted months ;  
'Alas ! for the wasted year.'

And I said to Time : 'O Time,  
I would I could make thee wait ;  
I would I could turn thy footsteps back,  
For I fear I have toiled too late.'

And Time made answer cold :  
'Thou bringst me evil repute ;  
I warned thee spring was the time for seed,  
And autumn the time for fruit.'

\* \* \*  
As waters that bound by frost  
Take life again from the sun,  
So thus my heart when I heard the words  
'Thy labour and work is done.'

'Thy faith and thy sleepless nights,  
Thy tears and thy prayers are known ;  
Turn thee ; behold the golden fruit,  
From the little seed thou hast sown.'

I turned—'twas an angel, lo !  
He had bound the fruit in a wreath ;  
I saw his face, and I knew him then—  
I knew that his name was Death.

A. W.

The Proprietors of *Chambers's Journal* have the pleasure to announce, that in consequence of the Repeal of the Paper Duty, they will be enabled, with the commencement of their next volume, in January 1862, to present its Readers with a sheet of better material than has hitherto been practicable. Earnest efforts will also be made to improve the literature of the work, so that, in the increased competition of able and worthy rivals, the FATHER OF ITS CLASS may yet be able to retain a fair share of popular favour.

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